

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S Ambler Road, 265 ft. N of c/1 Parkway Road
2618 Ambler Road
12th Election District
7th Councilmanic District
Daniel J. Cochran, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 92-120-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), for the subject property located in a D.R. 5.5 zone, to allow a front yard depth of 27 ft. in lieu of the required 34 ft. front; and a variance from Section 301.1 of the B.C.Z.R. to allow a side yard setback of 1 ft. in lieu of the required 7.5 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including the letters in support for the Petition from the members of the community and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts

that comply with the requirements of Section 301.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of November, 1991 that the Petition for a Zoning Variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in a D.R. 5.5 zone, to allow a front yard depth of 27 ft. in lieu of the required 34 ft. front, is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 301.1 of the B.C.Z.R. to allow a side yard setback of 1 ft. in lieu of the required 7.5 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

November 5, 1991

Mr. and Mrs. Daniel J. Cochran
2618 Ambler Road
Baltimore, Maryland 21222

RE: Petition for Residential Zoning Variance
Case No. 92-120-A

Dear Mr. and Mrs. Cochran:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.
cc: Peoples Counsel

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE
92-120-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiliat(e)s and are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2618 Ambler Rd.

Baltimore, MD 21222
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

It would not be practical to have the room on any other part of the house because of the direction of the sun. We could not put a door on any other part of the house in order to enter this room.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Daniel J. Cochran
AFFIANT (Handwritten Signature)
DANIEL J. COCHRAN
AFFIANT (Printed Name)

Constance J. Cochran
AFFIANT (Handwritten Signature)
CONSTANCE J. COCHRAN
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of September, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Daniel J. Cochran and Constance J. Cochran

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5 September, 1991

NOTARY PUBLIC

My Commission Expires:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 10/27/91
Posted for: Variance
Petitioner: Daniel J. Cochran, et ux
Location of property: W/S Ambler Rd., 265' N of c/1 Parkway Rd.
2618 Ambler Rd.
Location of Sign: Home Ambler Rd., across 12th Election District
Remarks: [Signature]
Posted by: [Signature] Date of return: 11/1/91
Number of Signs: 3

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

November 5, 1991

Mr. and Mrs. Daniel J. Cochran
2618 Ambler Road
Baltimore, Maryland 21222

RE: Petition for Residential Zoning Variance
Case No. 92-120-A

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Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-120-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 303.1

TO ALLOW A FRONT YD DEPTH OF 27' + SIDE YD SETBACK OF 1' IN LIEU OF THE REQUIRED 34' FRONT + 7.5' SIDE YD SETBACK

It would not be practical to have this room on any other part of the house because of the direction of the sun. We could not put a door on any other part of the house in order to enter this room.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expense of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

DANIEL J. COCHRAN

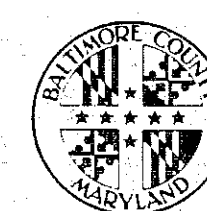
2618 Ambler Rd. 21222

ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of November, 1991, that the subject matter of this petition be posted on the property on or before the 5th day of November, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of November, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County.



ZONING COMMISSIONER OF BALTIMORE COUNTY

REVIEWED BY: DATE:

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

September 25, 1991

887-3353

Daniel and Constance Cochran
2618 Ambler Road
Baltimore, Maryland 21222

RE: CASE NUMBER: 92-120-A
LOCATION: W/S Ambler Road, 265' N of c/1 Parkway Road
2618 Ambler Road

COPY

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reference regarding the administrative process.

1) Your property will be posted on or before October 6, 1991. The closing date is October 21, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

Stephanie
(3 / 9 / 7 - 3391)

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 21, 1991

Mr. & Mrs. Daniel J. Cochran
2618 Ambler Road
Baltimore, MD 21222

RE: Item No. 129, Case No. 92-120-A
Petitioner: Daniel J. Cochran, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Cochran:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

James E. Dyer

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures



111 West Chesapeake Avenue
Towson, MD 21204

887-3553

Your petition has been received and accepted for filing this
5th day of September, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Daniel J. Cochran, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 27, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Romano Property, Item No. 127
Cochran Property, Item No. 129
Panageotou Property, Item No. 130
Cernak Property, Item No. 135
Noravian Property, Item No. 137
Frantz Property, Item No. 138
Sedlak Property, Item No. 140
Smoot Property, Item No. 141

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn

ITEMS127/TXTROZ



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

OCTOBER 1, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: DANIEL J. COCHRAN

Location: #2618 AMBLEE ROAD

Item No.: 129 Zoning Agenda: OCTOBER 1, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning & Zoning Division Fire Prevention Bureau
Special Inspection Division

JF/KEY

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 27, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for October 1, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 127, 129, 130, 131, 132, 133, 135, 137, 138, 139, 140 and 141.

For Item 134, this subdivision is okay, with no comments needed.

For Item 136, the comments are reserved until the County Review Group plan is submitted. However, sideyard setback dimensions may change as a result of the County Review Group comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E.
Developers Engineering Division

RWB:s

Sept 20 - 91
I have no objections to the
improvements made at 2618 Ambler Rd.

Joseph P. Morok
2617 Ambler Rd. Balt., Md 21222

Henry C. Blumline
2616 Ambler Road Sunbelt Md 21222-2205

Dennis M. McMillin
2620 Ambler Rd Balt. Md 21222

DANIEL COCHRAN
2618 Ambler Rd.
Balt., MD 21222

92-120-A

JOHN ALEXANDRA
ITEM 129

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES
WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED
Reference - Section 101.1 Baltimore County Zoning Regulations

303.1 - In R.R.2, R.R.3.5 and D.R.5.5 zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situated within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet of said side property line, provided that no dwelling shall be required to be set back more than 50 feet in R.R.2 zones, 50 feet in R.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified hereafter in the zone regulations for R.R.2, R.R.3.5 and D.R.5.5 respectively.

	A	B	C	D	E	F
	42	49	49	49	53	53
	ft.	ft.	ft.	ft.	ft.	ft.

TO CONTINUE OR ST-15' or PROP. LINE 30'

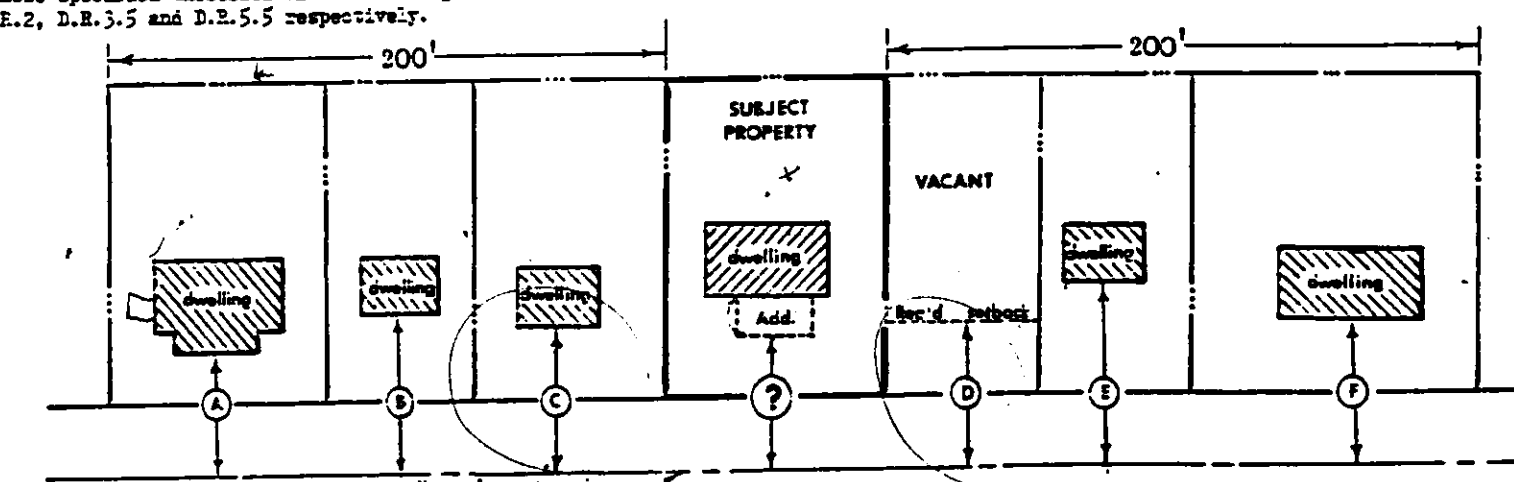
DANIEL J. COCHRAN
2618 AMBLEE RD
9-16-91

TOTAL (299) ÷ (6) = 49.83

REQUIRED FROM FIRE LANE SETBACK (overlaid)

REQUIRED FROM FIRE LANE SETBACK (overlaid)

D.R.2 - 65 ft.
D.R.3.5 - 55 ft.
D.R.5.5 - 50 ft.



92-120-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2618 AMBLER RD
Subdivision name: LYBROOK
plat book # 11, follow 15, lot # 10, section #
OWNER: Daniel and Christine Cochran

Petitioner's Exhibit #1

2618 Ambler Rd

Scale of Drawing: 1" = 50'

North

date: _____
prepared by: _____

LOCATION INFORMATION

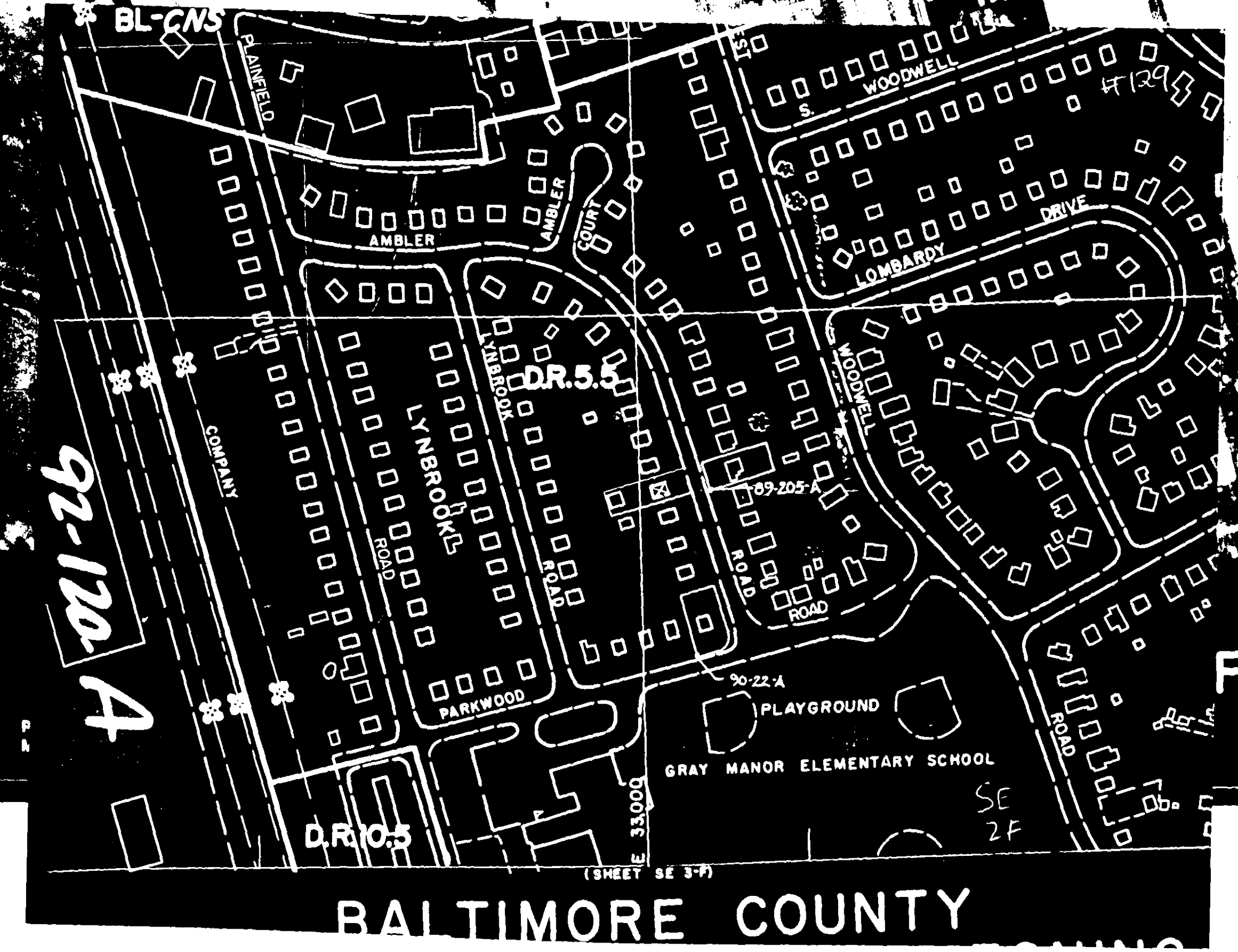
Councilmatic District: 7
Election District: 12
1"=200' scale map: SE 2-F
Zoning: R-5.5
Lot size: 0.17 acre
square feet: 7500

SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☐
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: _____ ITEM #: _____ CASE#: _____

CASE NUMBER 92-120-A

PETITIONER'S EXHIBIT #



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP 92-120-A

129

SCALE	LOCATION	SHEET
1" = 200' ±	NORTH POINT GRAY MANOR	S.E. 2-F
DATE OF PHOTOGRAPHY JANUARY 1986		

BALTIMORE COUNTY